

(BY AUTHORITY.)  
Laws of New Jersey.

CHAPTER CCXXXV.

A further supplement to an act entitled, "An act to regulate the business of Fire, Life, Accident, Marine and Live Stock Insurance, by Companies or Associations not incorporated by the State," approved April ninth, one thousand eight hundred and sixty-seven.

1. Be it enacted by the Senate and General Assembly of the State of New Jersey, That every fire, life, accident, marine or other insurance company incorporated or doing business, or which may be hereafter authorized to do business under the laws of this state shall, during the month of April next, and annually hereafter during the month of January, file in the department of state of this state a statement exhibiting its condition on the thirty first day of December next preceding, as now required of insurance companies in this state; and for this purpose it shall be the duty of the secretary of state to furnish blank forms for statements, the same as now in use, which forms may by him be from time to time changed, as may be required to secure full information as to the standing and condition of such insurance companies; provided, that the statement required of purely mutual companies taking notes in whole or in part for premiums, which notes are liable to assessment, shall be in such form as the secretary of state may prescribe, adapted to the use of such companies; any insurance company failing to make and file such statement for the space of thirty days after the time above fixed for such filing, or to file in writing to the secretary of state, within twenty days, shall be subject to a penalty of five hundred dollars, and a like penalty for every month that such company shall continue thereafter to transact any business of insurance without filing such statement, to be used for and recovered in the name and for the benefit of the state by the attorney general, on notice from the secretary of state.

2. And be it enacted, That it shall be the duty of the secretary of state, whenever he shall deem it expedient, or at the request of such company, or like request in writing by three or more policy holders, therein, or creditors thereof, himself, or by such person or persons as he may designate, to examine into the affairs of any fire insurance company organized under the laws of, or by its agents doing business in this state; provided, that not more than one examination shall be made at any one year; and it shall be the duty of the officers or agents of any such company doing business in this state to exhibit all the books, records and accounts for the purpose of such examination, and otherwise to facilitate the same so far as may be in their power to do, and for that purpose the secretary of state or his representatives shall have power to examine, under oath, the officers and agents of any company relative to the business and affairs of such company; and whenever the secretary of state shall deem it necessary to cause such examination to be made, he shall publish in the city of Trenton, and two published in the county where the company is located, and whenever it shall appear as the result of such examination that the assets of any fire insurance company, organized under the laws of the state, after charging it with an amount requisite for the re-insurance of all its outstanding risks and with its other proper liabilities, excepting capital stock paid in, amount to less than three-fourths of such capital, it be a joint stock company, or, in the case of mutual companies, if the assets, less unsettled claims and other actual liabilities, amount to less than three-fourths of the sum requisite for re-insurance, then he shall call upon said company to make up such deficiency within such reasonable time as he shall fix; and on failure to comply with such requisition he shall communicate the fact to the attorney general, whose duty it shall then become to apply forthwith to the chancellor for an order to show cause why an injunction should not be granted restraining them from doing further business, and the chancellor shall thereupon proceed to hear the allegations and proofs of the respective parties; and in case it shall appear to his satisfaction that the assets and funds of said company are not sufficient as aforesaid, or that the interests of the people so required, the chancellor shall decree a dissolution of said company and a distribution of its effects; the chancellor shall have power to refer the application of the attorney general to a master, to inquire into and report upon the facts alleged.

3. And be it enacted, That whenever it shall appear to the secretary of state as the result of examination as provided in this act, that the affairs of any company not incorporated in this state, and doing business in this state, are in an unsound condition, estimated in the same manner prescribed in preceding sections, he shall revoke the certificates granted to such company and its agents, and shall cause a notification thereof to be published at least six times in two newspapers published in the cities of Trenton and Newark respectively, and all agents of such company, after the first publication of such notice, shall be required to discontinue the issuing of new policies or the renewing of any previously issued, and any agent who shall make, issue or deliver any policy, or the renewal of any policy of insurance, or collect or receive any premium of insurance, or in any way transact any business of insurance on behalf of any such company, shall be liable to the same penalties, to be recovered in like manner as prescribed in the act to which this is a supplement.

4. And be it enacted, That the provisions of the foregoing sections, so far as may be, shall be held to apply to life insurance companies of this state, or of other states and governments doing business in this state, and such companies shall be subject to the same examinations, liabilities and requirements as by such sections imposed upon fire insurance companies, and the same duties are imposed upon the secretary of state, the attorney general and the chancellor; provided, that injunction shall issue only when it shall appear by examination that the assets of any life insurance company as aforesaid are not sufficient to re-insure its outstanding risks and discharge its total actual liabilities; the actual expenses of all examinations made under authority of this act shall be paid by the companies examined.

5. And be it enacted, That the secretary of state shall be, by virtue of his office, commissioner of insurance, and it shall be his duty to make annual report to the legislature, containing a summary of the statements of every insurance company filed in his office as required by law, together with such facts and information touching the same as may be in his possession,

which report shall be published as are other legislative documents; and for the purpose of carrying out the provisions of this act, the said secretary shall be authorized to expend from the sum annually received from taxes on insurance companies of other states an amount, not exceeding ten per centum thereof; the penalty for violation of this act, except where otherwise provided, shall be the same to be collected in the same manner, as provided in the act to which this is a supplement.

6. And be it enacted, That any person or firm who shall in any manner act or on behalf of another in the placing or procuring of any insurance in any company of another state or nation that has not complied with the laws of this state, shall be liable to the same penalties, to be recovered in like manner as prescribed in section nine of this act to which this is a supplement; certificates of authority may be issued to persons, to place or cause to be procured insurance in companies which have complied with the laws of this state, although such person may not be the commissioned agent of such company, and that the amount to be paid for filing the statements required by this act, and the act to which this is supplementary, and for certificates to agents of foreign companies shall be and remain as fixed by the act to which this is supplementary, and that the business of fire insurance by companies or associations not incorporated by this state," approved March nineteenth, one thousand eight hundred and sixty.

7. And be it enacted, That no insurance company hereafter organized in this state shall issue policies until upon examination by the secretary of state it shall have been found to comply to the laws thereof; nor until the said secretary shall have issued his certificate setting forth such facts and authorizing the company to commence business, and that no insurance company organized under the laws of this state, shall expose itself to loss or any one risk or hazard by fire to an amount exceeding ten per centum of its paid up capital, or in the case of mutual companies, of their net assets; provided that no joint stock insurance company shall hereafter be organized in this state, or do any business of insurance, until it shall have a fully paid up capital of at least one hundred thousand dollars, and that no such company shall make any loan or investment in the security of its own capital stock.

8. And be it enacted, That the deposits of securities now required, or which may hereafter be required to be made by any insurance company of this state in the state treasury shall be approved by the secretary of state, and he shall have authority to examine the same at all times, and may order the same or any part thereof to be changed at his pleasure, and no change or transfer of the same shall be made without his assent.

9. And be it enacted, That this act and the act to which it is supplementary shall be held and construed to extend to and include every company transacting the business of insurance of whatever kind, and that all acts or parts of acts inconsistent or conflicting with this act, and the same are hereby repealed, and that this act shall take effect immediately.

Approved March 19, 1874.

CHAPTER CCCL.

An act to fix the salaries of the officers of the Senate and General Assembly of the State of New Jersey for the session of one thousand eight hundred and seventy-four.

1. Be it enacted by the Senate and General Assembly of the State of New Jersey, That the officers of the two Houses of the Legislature of New Jersey, for the session of one thousand eight hundred and seventy-four, whether elected or appointed, shall receive the same amount of compensation or pay as was granted to or received by those of a similar grade for services rendered during the session of the Legislature for the year one thousand eight hundred and seventy-three.

2. And be it enacted, That this act shall take effect immediately.

Approved March 19, 1874.

CHAPTER CCCL.

An act for the support of the State Reform School for boys.

1. Be it enacted by the Senate and General Assembly of the State of New Jersey, That the sum of twenty thousand dollars is hereby appropriated for the maintenance and support of the Reform School for Boys.

2. And be it enacted, That for the completion and furnishing of the buildings now in process of completion, and for the necessary improvements of the farm buildings, the further sum of five thousand dollars is hereby appropriated.

3. And be it enacted, That the treasurer of the state is hereby directed to pay to the trustees of the school, the aforesaid sums on the warrant of the comptroller.

Approved March 19, 1874.

CHAPTER CCCL.

An act concerning fees.

1. Be it enacted by the Senate and General Assembly of the State of New Jersey, That any joint committee of the legislature, any standing committee of either house, or any special committee which shall have been, by resolution, directed upon any investigation or inquiry, the pursuit of which shall necessitate sending for persons and papers and the examination of witnesses, shall have power to summon before them such persons as they may deem necessary and proper to testify in the matter under investigation, and shall also be authorized to employ such legal and clerical assistance as they may deem necessary, and the persons so testifying shall be entitled to receive the like witness fees and mileage as are now allowed to persons summoned to testify in the courts of this state; and the treasurer of this state is hereby authorized and directed, to pay upon the warrant of the comptroller, such fees and compensations for the above named purposes as shall be certified to have been correct and necessary by the chairman of the committee under whose authority and by whose orders such expenses shall have been incurred and approved by the governor.

2. And be it enacted, That this act shall take effect immediately.

Approved March 19, 1874.

CHAPTER CCCL.

A supplement to an act entitled "An act to provide for the organization of the New Jersey Home for Disabled Soldiers," approved April fourth, eighteen hundred and sixty-six.

1. Be it enacted by the Senate and General Assembly of the State of New Jersey, That in addition to the appropriation for the support of the home for disabled soldiers, now authorized by law, the further

sum of twenty-five thousand dollars is hereby appropriated for the object contemplated in the act to which this is a supplement.

2. And be it enacted, That the above sum shall be expended under the direction of the managers of said home, and the state treasurer is hereby authorized to pay the same for the purpose aforesaid, to the treasurer of said home, on the warrant of the comptroller, out of any moneys in the treasury not otherwise appropriated.

3. And be it enacted, That this act shall take effect immediately.

Approved March 19, 1874.

A SIBERIAN RAILWAY.—A special commission of the Co-operative Society of Russian Manufacturers and Trade has reported in favor of the construction of a railroad line between Russia and China, through Siberia. The road, with its connections, would traverse for the most part a thickly populated country, and open up immense cattle and wool growing districts which are now isolated. The business world would have to be built in sections, commencing with a fortified town in Western Russia, and ultimately reaching Peking.

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1. When fruit trees occupy the ground, nothing else should, except short grass.

2. Fruitfulness and growth of the tree cannot be expected the same year.

3. There is no plant that the curculio will not take, though any kind may sometimes escape for one year or any year.

4. Peach borers will not do much damage when the city is heaped up around the tree a foot high.

5. Pear blight still puzzles the greatest men. The best remedy known is to plant two for every one that dies.

6. If you don't know how to prune, don't hire a man from the other side of the sea who knows less than you do.

7. Don't cut off a big lower limb unless you are a reaper and don't care what becomes of the tree when your time is up.

8. A tree coming out with the limbs near the ground is worth two trees trimmed up five feet, and is worth for trees trimmed up ten feet, and so on until they are not worth anything.

9. Trim down, not up.

10. Shorten in, not lengthen up.

11. If you had an arm cut off, you would feel it at your heart—a tree will not feel, but rot to the heart.

12. When anybody tells you of a garden-er that understands all about horticulture and agriculture, and that he can be hired don't believe a word of it, for there are no such to be hired. Such a man can make more than you can afford to give him; and if he has sense enough to understand the business, he will have also enough to know this.—Selected

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